PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE ne Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/683,656 Filing Date TRANSMITTAL October 9, 2003 First Named Inventor **FORM** Sundeep DUGAR Art Unit 1621 (to be used for all correspondence after initial filing) **Examiner Name** Not Yet Assigned Attorney Docket Number Total Number of Pages in This Submission 219002029600 ENCLOSURES (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board of Licensing-related Papers Fee Attached Appeals and Interferences Appeal Communication to Group Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please **Extension of Time Request** Terminal Disclaimer identify below): Form 1449, 1 pg (in dupliste) **Express Abandonment Request** Request for Refund 1 Reference (ISR) Return Postcard Information Disclosure Statement, 3 CD, Number of CD(s) pages Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application CUSTOMER NO. 25225 Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm **MORRISON & FOERSTER LLP** James J. Mullen, III - 44,957 Individual name

Signature Date I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Signature: C



## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on May 25, 2004.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Sundeep DUGAR

Serial No.: 10/683,656

Filing Date: October 9, 2003

For: AZAINDOLE DERIVATIVES AS

INHIBITORS OF P38 KINASE

Examiner: To Be Assigned

Group Art Unit: 1621

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. §1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

The document number 1 listed on the attached Form PTO-1449 was cited in an International Search Report (copy attached) mailed on April 13, 2004 directed to a counterpart international or foreign application. A certification under 37 C.F.R. § 1.97(e)(1) follows:

I hereby certify that the item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

	This Information Disclosure Statement is submitted:								
	With the application; accordingly, no fee or separate requirements are required.								
	Before the mailing of a first Office Action after the filing of a Request for Continued								
	Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. §								
	1.97(e)(1) has been provided.								
$\boxtimes$	Within three months of the application filing date or before mailing of a first Office								
	Action on the merits; accordingly, no fee or separate requirements are required.								
	However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.								
	After receipt of a first Office Action on the merits but before mailing of a final Office								
	Action or Notice of Allowance.								
•		A fee is required. A check in the amount of is enclosed.							
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached							
		to this submission in duplicate.							
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee							
		is believed to be due.							
	After mailing of a final Office Action or Notice of Allowance, but before payment of the								
	issue fee.								
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the							
		amount of is enclosed.							
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal							
		form (PTO/SB/17 is attached to this submission in duplicate.)							

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 219002029600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May <u>25</u>, 2004

Respectfully submitted,

James J. Mullen III Registration No. 44,957

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U.S. PATENT DOCUMENTS												
Examiner Initials	Ref. No.	Date	Document No.	N	ame	Class	Subclass	Filing I				
	1.	12/2002	US2002/0183319	Liang et a	l.	514	234.5	Appropriate 12/21/2000				
FOREIGN PATENT DOCUMENTS												
Examiner	Ref.	Date	Document No.			Class	Subclass	Trans	lation			
Initials	No.	Date	Document 140.	Country		Class	Subclass	YES	NO			
OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.)												
Examiner Initials	Ref. No.	Title										
	2.	International Search Report mailed on April 13, 2004 for PCT patent application no. PCT/US03/32171 filed on October 9, 2003, 4 pages										
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.												